

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1, 2, 11, 19 and 23-36 are pending in this application. Claims 1, 11 and 19 are independent. Claims 1, 2, 11, 19, 23, 24, 25, 29 and 33 are hereby amended in this response. Claims 3-10, 12-18 and 20-22 have been cancelled without prejudice or disclaimer of subject matter. Support for this amendment is provided throughout the Specification and Drawings, specifically on pages 20-21, 40-42, 47-47 and Figures 6-9, 14-15 and 17-19. No new matter has been introduced by this amendment.

Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §102(e) and 35 U.S.C. § 103(a)

Claims 1-5, 11, 19, 23-25, 28, 29, 32, 33 and 36 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 5,963,203 to Goldberg et al. (hereinafter, merely "Goldberg").

Claims 26, 27, 30, 31, 34 and 35 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Goldberg in view of European Patent Application No. 0609819 to Gilligan et al. (hereinafter, merely "Gilligan").

III. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

"An information processing apparatus, comprising:

... first operating dial to display the first image and the second image at the display positions designated by the first designation means,

wherein said first operating dial is a rotating or turning type dial,

wherein said first operating dial controls the display of the first image and the second image such that the first image and the second image are aligned with a set of images in a curve which constitutes a circle, spirally with a set of images in a three-dimensional space or with a set of images in a planar manner."
(emphasis added)

Applicants submit that Goldberg and Gilligan, taken alone or in combination, fail to teach or suggest the above-identified features of claim 1. Specifically, Applicants submit that there is no teaching or suggestion of an information processing apparatus comprising first operating dial to display the first image and the second image at the display positions designated by the first designation means, wherein said first operating dial is a rotating or turning type dial, wherein said first operating dial controls the display of the first image and the second image such that the first image and the second image are aligned with a set of images in a curve which constitutes a circle, spirally with a set of images in a three-dimensional space or with a set of images in a planar manner, as recited in claim 1.

Furthermore, Applicants submit that not only does Goldberg and Gilligan, taken alone or in combination, fail to teach or suggest the claimed features, the combination of

Goldberg and Gilligan is the result of improper hindsight using Applicants' claimed invention as a blueprint. Applicants also respectfully submit that picking and choosing particular features from divergent patents is improper and such a combination may not be used as a basis of rejection.

For the above-stated reasons, Applicants submit that the combination of Goldberg and Gilligan is improper and the rejection should be withdrawn.

Therefore, Applicants submit that claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, independent claims 11 and 19 are also believed to be patentable.

Therefore, Applicants submit that independent claims 1, 11 and 19 are patentable.

IV. DEPENDENT CLAIMS

The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the above-identified reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

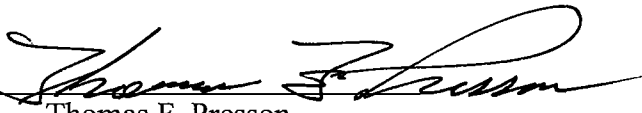
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portion or portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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